



Montana Fish, Wildlife & Parks

**Region 1
490 North Meridian Road
Kalispell, MT 59901**

North Shore Fisheries Conservation Project - Bigfork Parcel Decision Notice July 20, 2009

Proposal

Montana Fish, Wildlife & Parks (MFWP) proposes to buy about 70 acres of land, about 45 acres of which is flooded by Flathead Lake during full pool, on the north shore of Flathead Lake near Bigfork, Flathead County, Montana, for the purpose of fish and wildlife habitat conservation. The project would cost about \$1 million and would be funded by the Bonneville Power Administration (BPA) to help mitigate harm to resident fish caused by construction and subsequent habitat loss associated with Hungry Horse Dam. Although habitat conservation is the primary purpose for this acquisition, some types of seasonal dispersed public recreation may also be a benefit of the project. The land acquired using BPA funds would be encumbered by a restrictive conservation easement held by BPA that would be conveyed to BPA at closing.

Environmental Policy Act Process

MFWP is required to assess potential impacts of the proposed project to the human and physical environment. In compliance with requirements of the Montana Environmental Policy Act (MEPA), a draft environmental assessment (EA) was completed by MFWP and released for public comment on June 26, 2009. Public notices were posted in local newspapers and libraries, and copies of the EA were available at the Region One headquarters in Kalispell and on the MFWP website.

Issues raised during the public comment period on the draft EA are listed in the comment section below. There were no modifications to the draft EA based on public comment, and the draft EA and decision notice serve as the final document.

Summary of Issues Addressed in the Environmental Assessment (EA)

- Managing the parcel primarily to protect and restore fisheries habitat associated with Flathead Lake, protect water quality in Flathead Lake and associated wetlands, and maintain and enhance wildlife habitats.
- Limited public access due to a seasonal closure of the area from March 1 through July 15 consistent with the adjoining federal Flathead Lake Waterfowl Production Area.
- Possibly limiting pet/dog uses during the rest of the year to ensure the area does not become a community dog-walking area that could result in resource impacts.

Summary of Public Comments

The EA was open for comments for a three-week comment period from June 26 - July 17, 2009. Comments were provided through written e-mails and verbally via telephone. There were 16 written comments and two verbal comments received during this time, all in favor of the project. Most people had no concerns at all with the acquisition of this parcel; only two individuals raised a few minor points of concern.

One individual raised concern about the cost of the acquisition and whether or not it was within fair market value and not overly high. A Federal Standard Appraisal was completed as required by BPA and indicated a value of approximately \$1.5 million for the property. The landowner, in fact, is donating approximately \$500,000 in value for the purchase of this property. BPA will confirm this appraisal before final acquisition of the parcel.

Another individual, completely in favor of the acquisition, raised a few management concerns. This individual was concerned about increased noise levels and safety issues associated with hunting and how this would affect adjoining landowners. In the proposed management plan MFWP states that we would "establish safety zones near existing residences or any areas where hunting would not be safe." MFWP recognizes that subdivision next to the property has already occurred, though many of the lots have not been developed at this time. MFWP will consider developing buffers and weapons restrictions between any residences and legal hunting activities as adjoining parcels are developed in the future.

The same individual also raised the concern over allowing any dog/pet use on the property because all people may not follow the rules regarding leash use and seasonal restrictions. The proposed management plan states that "dogs must be on a leash except when used for hunting during a legitimate upland game bird or waterfowl hunting season," and also states that "no person may permit an animal to run at large. Other seasonal or year-round restrictions on dog/pet use on the acquired lands will likely be implemented." MFWP also stated in the EA for the property under fish/wildlife concerns that "MFWP will require control of pets or may prohibit pet use except for hunting dogs under the control of a licensed hunter. MFWP will evaluate pet uses and provide information on pet use and other public uses at the access point." MFWP law enforcement and Parks staff will monitor the area for anyone breaking the leash laws and/or seasonal closures, and individuals not following the rules will be cited accordingly.

This individual also suggested very clear and obvious signs be posted at the entrance listing rules and regulations for the property, as well as the fines for breaking the rules. MFWP states in the proposed management plan that we will "Install appropriate informational signs at primary access points." MFWP will also post the following information on the signs regarding consequences for breaking any rules: "Violations of department rules may result in a fine of up to \$500, six months in jail, and the loss of hunting, fishing, and trapping privileges."

The last concern this individual had was about the accumulation of woody debris along the shoreline of the property. MFWP will obviously need to periodically clean up any garbage that washes onto the shore, but some amount of woody debris is desirable for erosion control and fish habitat. MFWP will have to monitor how the collection of woody debris affects the habitat values of the parcel over time and remove woody debris if it becomes necessary.

The Montana Audubon is the coordinating entity for the nine Audubon Society Chapters in the state of Montana. In the overwhelming letter of support they wrote regarding this project, they made the following comment:


“While the Montana landscape is only about 1.1 percent wetlands, 88 percent of the acres of the Bigfork Parcel above Flathead Lake full pool are wetlands. Moreover, this parcel will buffer and/or amplify the health of wetlands and floodplain on the 2,000-acre Flathead Lake Waterfowl Production area and 1,600 acres of private and state land between Highway 82 and the north WPA boundary.

Wetlands and riparian areas are critical for Montana’s wildlife. Although these habitats combined make up approximately 3.94 percent of Montana’s landscape, about one-third of our wildlife species *depend* upon these areas for some part of their life cycle (Montana’s Comprehensive Fish and Wildlife Conservation Strategy, 2005).”

Decision

Through the MEPA process, MFWP found no significant impacts on the human or physical environments associated with this project that could not be mitigated. Therefore, the EA is the appropriate level of analysis, and an environmental impact statement is not required.

Based on the EA, public comment, and the fisheries conservation benefits that this project would provide, it is my decision to proceed with the North Shore Fisheries Conservation Project - Bigfork Parcel. This alternative provides the best opportunity for long-term conservation of fisheries and wildlife habitat along the North Shore of Flathead Lake.



July 20, 2009

James R. Satterfield Jr., Ph.D.
Regional Supervisor

Date